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16 August 1991

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Forty-sixth session

REQUEST FOR THE INCLUSION OF A SUPPLEMENTARY SUB-ITEM IN THE AGENDA OF THE FORTY-SIXTH SESSION

Elections to fill vacancies in principal organs: election of a member of the International Court of Justice

Note by the Secretary-General

1. The Deputy Registrar of the International Court of Justice, by a cable dated 14 August 1991, informed the Secretary-General of the death of Judge Taslim Olawale Elias (Nigeria) on 14 August 1991 and of the occurrence of a vacancy in the Court as a result of Judge Elias' death.

2. Judge Elias was elected as a member of the Court as at 6 February 1976 and re-elected as from 6 February 1985 for a period of nine years. His present term of office would therefore have expired on 5 February 1994. In accordance with the terms of the Statute of the International Court of Justice, the General Assembly and the Security Council will therefore have to elect a member of the Court to serve for the remainder of Judge Elias' term, that is, until 6 February 1994.

3. By a note dated 16 August 1991, the Security Council has been informed of the occurrence of this vacancy in the Court. Pursuant to Article 14 of the Statute of the International Court of Justice, the Security Council is to fix the date of the election.

4. In view of the current schedule of the General Assembly and without prejudice to the date to be fixed by the Security Council, it seems appropriate that the Assembly include in the agenda of its forty-sixth session, pursuant to rule 14 of its rules of procedure, a supplementary sub-item of item 15 (Elections to fill vacancies in principal organs) reading as follows:

"(c) Election of a member of the International Court of Justice."

5. This sub-item would be taken up at a meeting of the forty-sixth session on the date fixed therefor by the Security Council. As soon as the Council has done so, the Member States and the other States parties to the Statute of the Court will be informed thereof.

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REQUEST FOR THE INCLUSION OF A SUPPLEMENTARY ITEM IN THE AGENDA OF THE FORTY-SIXTH SESSION

NECESSITY OF ENDING THE ECONOMIC, COMMERCIAL AND FINANCIAL EMBARGO IMPOSED BY THE UNITED STATES OF AMERICA AGAINST CUBA

Letter dated 16 August 1991 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

On behalf of the Government of the Republic of Cuba, I have the honour to request, under rule 14 of the rules of procedure of the General Assembly, the inclusion in the agenda of the forty-sixth session of the Assembly of a supplementary item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", for consideration in plenary.

I attach the necessary explanatory memorandum (see annex).

I should be grateful if you would have this letter and the explanatory memorandum distributed as a document of the General Assembly.

(Signed) Ricardo ALARCON de QUESADA
Ambassador
Permanent Representative

ANNEX

Explanatory memorandum

For more than 30 years the Government of the United States has been pursuing an aggressive policy against Cuba with the declared aim of imposing on it the political, social and economic order which the United States authorities consider most fitting. This policy has included direct military intervention, the threat of nuclear annihilation, the instigation and carrying out of countless acts of sabotage and plans to assassinate Cuban leaders, all of which has been officially recognized by successive United States Administrations and documented in detail in the United States Congressional Record.

An essential element of this policy is the economic, commercial and financial embargo which the United States has imposed and applied against Cuba throughout the above-mentioned period and which is now being intensified and expanded.

The United States embargo has caused Cuba substantial material losses and has obliged it to make extraordinary efforts to change its economic relations, which in the past were entirely dependent on the United States market. This has entailed intensive readaptation of the structure of production, consumption and services to different types of technology, equipment, raw materials and consumer goods from other countries, in many cases obtained at short notice, all of which has caused enormous economic and social damage and hardship.

The discriminatory measures against Cuba in the world of finance - the ban on the use of the United States dollar, the denial of access to the United States banking system and the boycott imposed on it in international financial and credit institutions - have been a major additional obstacle for Cuba's international economic - and especially commercial - relations, and have limited even more the possibilities of external financing of the Cuban economy.

The United States Government has also tried to compel third countries to apply such a policy against Cuba, even seeking to impose its own discriminatory legislation beyond the confines of its national jurisdiction, thereby violating the sovereignty of other States. In its most recent legislative session, the United States Congress to that end adopted new measures which clearly are unlawful and violate international principles and norms.

It should be emphasized that the embargo continues to include a total prohibition on Cuba's acquisition of foodstuffs, medicine and medical supplies and equipment of United States origin. This criminal practice, applied totally and systematically for three decades, has caused and still causes appreciable additional harm to the Cuban people. Because of the inhuman character of this practice, a proposed amendment was even put forward at the

beginning of this year in the United States Congress itself. This amendment, which would permit a humanitarian exception for the export of medicine and certain medical equipment, has already encountered strong opposition from governing circles in Washington.

Although the far-reaching changes carried out in Cuba during this period have enabled the people to achieve incomparably higher living standards in terms of social progress - as seen in the notable achievements in such fields as health, education, food, employment, housing and social protection for the entire population - these results have obviously been achieved through the people's efforts and sacrifices, which have been unjustly and excessively compounded by the embargo.

At the present stage in international relations, when an attempt is being made to restructure them on the basis of cooperation and reduction of tension, it is particularly unjust, anachronistic and irrational to maintain and even intensify against Cuba a policy based on the most flagrant violation of the norms of coexistence among States, as set forth in the Charter and various General Assembly resolutions.

The United States Government is virtually alone in continuing to apply this policy against Cuba. The vast majority of those States which, in the past, joined in the embargo have gradually adjusted their position and today maintain normal relations with Cuba.

However, the decisive weight of the United States in the world economy and its renewed efforts to perpetuate and extend this policy have transformed the economic embargo into a serious obstacle for the independence and development of Cuba, causing continuing material damage and harm to the Cuban people.

The United States embargo against Cuba constitutes a flagrant violation of the principles of sovereign equality of States and non-intervention in their internal affairs, and is a constant source of tension that impairs the normal development of international relations.

Consequently, the Government of the Republic of Cuba deems it necessary for this question to be considered as a matter of priority by the General Assembly at its forty-sixth session, so that decisions may be taken which will help to end this unjust and illegal situation.

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REQUEST FOR INCLUSION OF A SUPPLEMENTARY ITEM IN THE AGENDA OF THE FORTY-SIXTH SESSION

NECESSITY OF ENDING THE ECONOMIC, COMMERCIAL AND FINANCIAL EMBARGO IMPOSED BY THE UNITED STATES OF AMERICA AGAINST CUBA

Letter dated 22 August 1991 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to attach herewith the resolution of the Latin American Parliament adopted at its 13th Regular General Assembly on 2 August 1991.

In view of the clear relation of that document to the request of the Government of Cuba for the inclusion of a supplementary item in the agenda of the forty-sixth session of the General Assembly on the "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", I should be grateful if you would also distribute the above-mentioned resolution of the Latin American Parliament to the States Members of the Organization, together with this letter, as a document of the General Assembly.

(Signed) Ricardo ALARCON de QUESADA
Ambassador
Permanent Representative

ANNEX

Resolution passed by the 13th Regular General Assembly of the Latin American Parliament on 2 August 1991

The 13th Regular General Assembly of the Latin American Parliament, meeting in Cartagena, Colombia, from 31 July to 3 August 1991, has agreed on the following:

Resolution

1. Noting with concern that for the last 30 years the sister people of Cuba have been suffering under a rigid economic and trade blockade, which even applies to food and medicine;

2. Deeply concerned by the fact that the blockade of Cuba has caused serious difficulties for that nation's economy, consequently detrimental to the entire population;

3. Considering that this kind of practice, in addition to violating international law, goes against the spirit that prevails in today's world, characterized by détente, the relaxing of cold war tensions and greater understanding between the great Powers, which propitiates the process of democratization in all regions of the globe;

We resolve

1. To express our solidarity with the people of Cuba, in the face of the serious economic situation that they are now facing;

2. To ask for an end to the economic and trade blockade imposed on that island for 30 years.

The Regular Assembly of the Latin American Parliament, Cartagena, 2 August 1991.

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Forty-sixth session

REQUEST FOR THE INCLUSION OF A SUPPLEMENTARY ITEM
IN THE AGENDA OF THE FORTY-SIXTH SESSION

NECESSITY OF ENDING THE ECONOMIC, COMMERCIAL AND
FINANCIAL EMBARGO IMPOSED BY THE UNITED STATES
OF AMERICA AGAINST CUBA

Letter dated 10 September 1991 from the Permanent
Representative of Cuba to the United Nations
addressed to the Secretary-General

I have pleasure in transmitting to you a note from the Executive Board of the Regional Committee of the Christian Peace Conference in Latin America and the Caribbean, concerning the economic embargo imposed by the United States against Cuba; I believe that it should be brought to the attention of the representatives of Member States (see annex).

Accordingly, I request that you be kind enough to have this letter and its annex circulated as a document of the General Assembly.

(Signed) Ricardo ALARCON de QUESADA
Ambassador
Permanent Representative

ANNEX

Letter dated 5 September 1991 from the Executive Board of the Regional Committee of the Christian Peace Conference in Latin America and the Caribbean addressed to the Secretary-General

We Christians of various denominations in Latin America and the Caribbean who make up the Executive Board of the Christian Peace Conference in Latin America and the Caribbean (CCP-LAC), meeting in the city of Havana, Cuba, from 3 to 6 September 1991, wish to say the following to you, Mr. Pérez de Cuéllar, Secretary-General of the United Nations.

We have seen how children, old people, women and other citizens of Cuba have suffered because they lacked medicines and other elements essential to the full life praised in the Gospel.

We have noted the shortage of raw materials which affects the working population in the production of consumer goods, and the manifold consequences this has for agriculture and the work of the population, primarily as a result of the blockade imposed on Cuba.

We emphasize the injustice, irrationality and illegality of this prolonged embargo. There is no logical reason to justify it under any type of law whether natural, constitutional or international.

Today our world demands sane coexistence among nations, and this embargo is not conducive to establishing an order that will bring stability to the region.

For these reasons we request that an item concerning the lifting of the embargo imposed on the Republic of Cuba by the United States Government be included in the agenda of the forthcoming session of the General Assembly. This would be a genuine sign that we have taken a first, viable step along a road leading to sane political coexistence in this continent, as was forcefully stated by the Presidents who gathered at the Ibero-American summit in Guadalajara, Mexico.

We pray to the Lord that those whose task it is to take decisions on so important an issue may assume their responsibility nobly. We are hopeful that we will achieve a just and humane situation in accordance with the teachings of the One who came that we might have everlasting life.